

**BOARD OF REAL ESTATE APPRAISERS
BOARD MEETING MINUTES – May 4, 2004**

MEMBERS PRESENT

James Murphy
David Adams
Bruce Bell
Walter Bowditch
Joseph Herlihy

MEMBERS ABSENT

Theodore Webersinn
Kenneth Charest

OTHERS PRESENT

Carol Leighton, Administrator
Dennis Smith, A.A.G.
Kim Baker-Stetson, Licensing Clerk
Susan Greenlaw, Board Clerk

Location: Central Conference Room

Start: 9:00 a.m. **Adjourn:** 3:45 p.m.

CALL TO ORDER

The meeting was called to order at 9:00 a.m.

AGENDA MODIFICATIONS

OLD BUSINESS

Action on Minutes of April 6, 2004 Meeting

A motion was made by David Adams and seconded by Bruce Bell to approve the minutes of the April 6, 2004 meeting as written. Adams, Bell, Herlihy, and Murphy voted in the affirmative; none opposed; Bowditch abstained. Motion carried.

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Action on Tabled Applications/Items

NAME	APPLYING TO	ACTION
WILLIAM NELESKI	UPGRADE FROM CERT RESIDENTIAL TO SIT FOR CERTIFIED GENERAL EXAM MIN 180 QE BAL MET? = 183 QE HOURS ON FILE MIN 30 MONTHS EXP MET? = FIRST LICENSED ON 12/08/1992 MIN 3000 HOURS WK EXP W/AT LEAST 1500 HRS CMML	<p><u>MAY 4, 2004</u> – MOTION BY BOWDITCH AND SECONDED BY HERLIHY TO TABLE PENDING RECEIPT OF 6 COMMERCIAL NARRATIVE OR EQUIVALENT REPORTS COMPLETED WITHIN THE LAST TWO YEARS. BELL, BOWDITCH, HERLIHY, AND MURPHY VOTED IN THE AFFIRMATIVE; ADAMS OPPOSED. MOTION CARRIED.</p> <p>MAY 4, 2004 - BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS. APRIL 6, 2004 - BOARD TO REVIEW SUBMITTED APPRAISALS</p>
JENNIFER MOTT	UPGRADE FROM LIC APPR TO SIT FOR CERTIFIED RESIDENTIAL EXAM MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 03/02/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTION A (B) AND 32 MRSA 14002	<p><u>MAY 4, 2004</u> - MOTION BY ADAMS AND SECONDED BY BOWDITCH TO TABLE. UNANIMOUS.</p> <p>MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS. APRIL 6, 2004 – BOARD TO REVIEW SUBMITTED APPRAISALS MARCH 2, 2004 – BOARD INSTRUCTED CLERK TO CHOOSE 6 APPRAISALS FOR REVIEW FEBRUARY 25, 2004 – REC'D LIST FEBRUARY 3, 2004 – MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLEX APPRAISALS.</p>
JULIE GALVIN	TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 03/14/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE # OF MAJOR/COMPLEX APR? = ?? SEE BOARD RULES CHAPTER 200 SECTIN A (B) AND 32 MRSA 14002	<p><u>MAY 4, 2004</u> - MOTION BY HERLIHY AND SECONDED BY BOWDITCH TO DENY PURSUANT TO 32 MRSA 14023(2)(5) AND BOARD RULES CHAPTER 200 SECTION 4-B-2-C. BELL, BOWDITCH, HERLIHY, AND MURPHY VOTED IN THE AFFIRMATIVE; ADAMS OPPOSED; MOTION CARRIED.</p> <p>MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS. APRIL 6, 2004 – BOARD TO REVIEW SUBMITTED APPRAISALS MARCH 5, 2004 – RECEIVED FIRST 50 LIST AND LIST OF MAJOR/COMPLEX PROPERTIES MARCH 2, 2004 – PENDING RESPONSE TO REQUEST FEB 3, 2004 - MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLES APPRAISALS AND PENDING VERIFICATION OF “FIRST FIFTY” APPRAISALS.</p>

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<p>CATHERINE ARNOLD</p>	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 09/10/2001 MIN 2500 EXP HRS MET? = 4100+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTIN A (B) AND 32 MRSA 14002</p>	<p><u>MAY 4, 2004</u> – MOTION BY HERLIHY AND SECONDED BY BOWDITCH TO DENY PURSUANT TO 32 MRSA 14023(2)(5) AND BOARD RULES CHAPTER 200 SECTION 4-B-2-C. BELL, BOWDITCH, HERLIHY, AND MURPHY VOTED IN THE AFFIRMATIVE; ADAMS OPPOSED. MOTION CARRIED.</p> <p>MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS APRIL 6, 2004 – APPRAISALS TO BE REVIEWED BY BOARD MARCH 2, 2004 – LETTER SENT REQUESTING COPIES OF 6 APPRAISALS FEB 25, 2004 – REC'D LIST FEB 3, 2004 - MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLES APPRAISALS AND PENDING VERIFICATION OF "FIRST FIFTY" APPRAISALS.</p>
<p>THOMAS PELLERIN</p>	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 130 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 05/16/2000 MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPT 200 SECTION A (B) AND 32 MRSA 14002</p>	<p><u>MAY 4, 2004</u> – MOTION BY ADAMS AND SECONDED BY BELL TO TABLE. UNANIMOUS. MOTION BY BELL AND SECONDED BY ADAMS TO REMOVE FROM THE TABLE. UNANIMOUS. MOTION BY BOWDITCH AND SECONDED BY BELL TO REQUEST SIX ADDITIONAL MAJOR/COMPLEX APPRAISALS. UNANIMOUS.</p> <p>MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS APRIL 6, 2004 – BOARD TO REVIEW SUBMITTED APPRAISALS MARCH 11, 2004 – RECEIVED LIST OF MAJOR/COMPLEX APPRAISALS MARCH 2, 2004 – PENDING RESPONSE TO REQUEST FEB 3, 2004 – MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLES APPRAISALS AND PENDING VERIFICATION OF "FIRST FIFTY" APPRAISALS.</p>

NEW BUSINESS

Adjudicatory Hearing re: Todd W. Stinneford (license denial)

The Chair opened the hearing in the matter of Todd W. Stinneford. Mr. Stinneford was present and represented by Stephen E.F. Langsdorf. Assistant Attorney General Dennis Smith represented the State in this matter. James Smith, Esq. was present as Hearing Officer and Counsel for the Board. Public deliberations were conducted at the close of the hearing.

A motion was made by Bruce Bell and seconded by Joseph Herlihy that Mr. Stinneford has been sufficiently rehabilitated to warrant the public trust and to approve his application for registered appraiser trainee licensure. Unanimous. A motion was made by David Adams and seconded by Joseph Herlihy to amend the motion to include a condition prohibiting Mr. Stinneford's supervisor from supervising anyone else for a period of one year. Adams voted in the affirmative; Bell, Bowditch, Herlihy, and Murphy opposed. Motion failed.

Administrator's Report

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Investigator RFP: Contract proposal has been awarded.

The Board was presented with a trainee licensee who did not disclose criminal convictions. The criminal records check reported convictions. Licensee submitted an amendment to the application acknowledging the convictions. A motion was made by Joseph Herlihy and seconded by Bruce Bell to offer a consent agreement to include: (1) admission to failure to disclose convictions; (2) letter of reprimand; and (3) payment of a \$200 fine. Unanimous.

Appraiser Qualifications Board Sixth Exposure Draft on revising the Real Property Appraiser Qualification Criteria was adopted on February 20, 2004 with an implementation date of January 1, 2008.

Amendment to the budget bill to transfer 1,500,000 from OLR to the Public Utilities Commission to pay for a 911 initiative – defeated in Senate. Other proposed amendments may be expected.

Board's financial status: A fee cap increase is recommended.

For the Board to consider: Policy regarding applicants who provide a negative response to the criminal conviction question or provide incomplete information.

Complaint Officer's Report

#REA-190: A motion was made by Walter Bowditch and seconded by David Adams to find the licensee in violation of 32 M.R.S.A. §14014(1)(G), (I), and (J) and USPAP Standards Rule 1-1(b), 1-1(c), and 2-1(a) and to offer a Consent Agreement to include: (1) licensee shall admit to the violations as stated; (2) licensee shall accept a letter of reprimand; (3) licensee shall pay a fine in the amount of \$1500 (\$500 per violation); (4) licensee shall successfully complete by 12/31/04 a 15 hour USPAP course with exam, such course is not to be counted toward continuing education requirement; (5) licensee shall successfully complete by 12/31/04 a 30 hour basic appraisal course with exam, such course is not to be counted toward continuing education requirement. Unanimous. A motion was made by David Adams and seconded by Bruce Bell to re-open the case. Unanimous. A motion was made by Walter Bowditch and seconded by Bruce Bell to include as part of the Consent Agreement: (6) licensee shall pay costs associated with the investigation in this case. Unanimous.

Review and Action on Applications and Education

NAME	APPLYING TO	ACTION
DAVID MRAZ (NOW LIVES IN SKOWHEGAN)	NORTH CAROLINA TRAINEE TO UPGRADE TO LICENSED RESIDENTIAL APPRAISER IN NC TRAINEES TAKE THE "AP" EXAM IN ORDER TO OBTAIN THE TRAINEE LICENSE MIN 90 QE BAL MET? = 90 QE HOURS VERIFIED BY NC BD FIRST LICENSED AS TRAINEE IN NC = 10/15/2001 EXPIRATION = 06/30/2004 MIN 2000 EXP HRS MET? = HAS 166 VERIFIED APPRAISALS NC BD CALCULATES AT 12.5 PER APPRAISAL WHICH = 2075 EXPERIENCE HOURS	MAY 4, 2004 – MOTION BY BOWDITCH AND SECONDED BY HERLIHY TO REQUIRE TRAINEE LICENSE. UNANIMOUS.

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OTHER BUSINESS

Next Meeting Scheduled for June 1, 2004.

ADJOURN

Being no further board business the meeting was adjourned at 3:45 p.m.

Respectfully submitted,

Susan Greenlaw
Board Clerk